IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 19211 of 2004

Between:

R.Kula Shekar, S/o.R.Ravindra
R/o.H.No.23/376, Amber Street, Old Town,
Anantapur.

..... PETITIONER

AND

1 The Chairman, National Institute of opening schooling (Formally National Open School) R/o.B/31-B, Kailash colony, New Delhi.
2 The Secretary, National Institute of opening schooling (Formally National Open School) R/o.B/31-B, Kailash colony, New Delhi.
3 Regional Director, National Institute of opening schooling, H.No.17-26, SreeNagar Colony, R.No.5, Dilshuknagar, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or orders more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not receiving the application of the petitioner for issuing the Hall Ticket to the petitioner for appearing the backlog senior secondary examinations of NIOS conducted by the respondents in the month of Nov 2004 is illegal and discrimination and against the principles of natural justice and consequently direct the respondent to receive the application and issue the Hall Ticket and permitting the petitioner to appear the backlog examinations conducting in the month November 2004.

For the Petitioner: MR.S.GIRIMOJI RAO, Advocate

For the Respondents: MR.A.RAMALINGESWAR RAO , Standing Counsel

The Court at the stage of admission made the following :

ORDER:

Admittedly the petitioner has not submitted his application for appearing Senior Secondary Examination o f National Institute of Open Schooling within the due date ie., 18-8-2004 without late fee. The application forwarded by the petitioner with late fee of Rs. Rs.15/-, which was received by the respondents on 25-8-2004, was rejected since the petitioner failed to pay the consolidated late fee of Rs.500/- for accepting the same on or before 31-8-2004. On such communication being sent, the petitioner appears to have submitted another application with consolidated late fee of Rs.500/-, which was received by the respondents on 16-9-2004, whereas the last date with consolidated fee of Rs.500/- is 31-8-2004.

In view of the same, rejection of the application filed by the petitioner does not suffer from any infirmities as the same was not filed within the time prescribed.

The writ petition fails and it is accordingly dismissed.

14-10-2004

kmr

To

1. The Chairman, National Institute of opening schooling (Formally National open school) R/o.B/31-B, Kailash colony, New Delhi.
2 The Secretary, National Institute of opening schooling (Formally National open school) R/o.B/31-B, Kailash colony, New Delhi.
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